

1 Ramon Rossi Lopez - rlopez@lopezmchugh.com  
2 (California Bar Number 86361; admitted *pro hac vice*)  
3 Lopez McHugh LLP  
4 100 Bayview Circle, Suite 5600  
Newport Beach, California 92660  
949-812-5771

5 Mark Stephen O'Connor (011029) – mark.oconnor@gknet.com  
6 Gallagher & Kennedy, P.A.  
7 2575 East Camelback Road  
Phoenix, Arizona 85016-9225  
8 602-530-8000

9 *Co-Lead/Liaison Counsel for Plaintiffs*  
10

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE DISTRICT OF ARIZONA

13 In Re Bard IVC Filters Products  
14 Liability Litigation

No. MD-15-02641-PHX-DGC

15 **NOTICE OF ERRATA**

16 (Assigned to the Honorable David G.  
17 Campbell)

21  
22 Plaintiffs submit this Notice of Errata regarding their Omnibus Separate Statement  
23 of Facts In Support of Their Response to Defendants' Motion for Summary Judgment in  
24 the Bellwether Cases ("OSOF") and exhibits thereto [Doc. 7950], lodged for sealing on  
25 October 2, 2017. After lodging the OSOF, Plaintiffs discovered that several citations to  
26 exhibits in the OSOF were inaccurate and that there were several incomplete and  
27 inaccurate exhibits attached to the OSOF; the latter included some incomplete exhibits,  
28 exhibits missing pages, or an incorrect exhibit attached. Plaintiffs are lodging this date a

1 corrected form of OSOF and exhibits with their Amended Notice to Seal and Notice of  
2 Lodging Documents Related to Plaintiffs' Responses to Defendants' Motions for  
3 Summary Judgment [Doc. 8184]. Plaintiffs are also providing the Court and Defendants  
4 with true and accurate copies of the corrected and lodged OSOF and exhibits.

5 RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of October, 2017.  
6

7 GALLAGHER & KENNEDY, P.A.

8 By:/s/ Mark S. O'Connor

9 Mark S. O'Connor  
10 2575 East Camelback Road  
11 Phoenix, Arizona 85016-9225

12 LOPEZ McHUGH LLP

13 Ramon Rossi Lopez (CA Bar No. 86361)  
14 (admitted *pro hac vice*)  
15 100 Bayview Circle, Suite 5600  
16 Newport Beach, California 92660

17 *Co-Lead/Liaison Counsel for Plaintiffs*

18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on this 13<sup>th</sup> day of October 2017, I electronically transmitted  
20 the attached document to the Clerk's Office using the CM/ECF System for filing and  
21 transmittal of a Notice of Electronic Filing.

22 /s/ *Gay Mennuti*  
23

24  
25  
26  
27  
28

## **EXHIBIT A**

No.	Exhibit	Description
2	Deposition of John McDermott, dated Feb. 5, 2014	Missing Pages
6	Deposition of Donna-Bea Tillman, dated June 12, 2014	Missing Pages
7	Deposition of Christine Brauer, dated Aug. 2, 2017	Incorrect transcript
11	Deposition of Murray R. Asch, dated May 2, 2016	Missing Pages
17	Letter from Mary Edwards to Food and Drug Administration, dated Apr. 25, 2003, BPV-17-01-00054947	Incorrect exhibit
18	Recovery Filter System Special 510(k) Submission (K022236), dated Nov. 27, 2002, BPV-17-01-00057953	Incorrect exhibit
22	Deposition of Andrzej Chanduszko, dated Oct. 10, 2013	Incorrect transcript
27	Special Design Review for Recovery (Project #'s 7081 and 8008) – Meeting Minutes, dated Dec. 9, 2003, BPVE-01-00407525	Corrected # of pages
34	Deposition of Natalie Wong dated Oct. 18, 2016	Missing Pages
36	Memo from Uemen to Palermo dated June 11, 2004, BPV-17-01-00153581-88	Missing Pages
43	Health Hazard Evaluation, July 9, 2004, BPV-17-01-00002145	Incorrect exhibit
51	Deposition of Jack Sullivan (Vol. I) dated Sept. 16, 2016	Missing Pages
52	Remedial Action Plan dated Sept. 2, 2004, BPV-17-01-00034860-887	Incorrect referenced exhibit
80	Memo from Natalie Wong re G2 Pre-Product Assessment Team Minutes-Caudal Migration, April 28, 2006, BPVE-01-00717922-23	Incorrect exhibit
84	Deposition of Jack Sullivan (Vol. II) dated November 3, 2016	Missing Pages
97	Deposition of Christopher Smith dated Aug. 3, 2017	Missing Pages
98	Deposition of Michael Randall, dated Feb. 2, 2017	Incorrect exhibit
104	Eclipse Vena Cava Filter Performance Specifications, BPV-17-01-00108342-4	Corrected # of pages
110	Deposition of Clement Grassi, M.D., dated July 30, 2014	Missing Pages

<b>No.</b>	<b><u>Exhibit</u></b>	<b><u>Description</u></b>
113	Deposition of David Ciavarella, dated Nov. 12, 201	Missing Pages
114	Deposition of Robert Cortelezzi, dated Nov. 11, 2016	Missing Pages
120	Letter from FDA to Bard re marketing of G2 Filter, K050558	Corrected # of pages
121	Email from J. Greer to J. Hudnall dated 7/22/2005, BPVE-01-001797300	Incorrect exhibit
H-B	Deposition of David Henry, M.D., dated April 6, 2017	Missing Pages
H-C	Deposition of Lisa Hyde, dated January 25, 2017	Missing Pages
H-E	Deposition of William T. Kuo, M.D., dated March 23, 2017	Missing Pages
H-F	Deposition of Robert McMeeking, Ph.D., dated July 6, 2017	Missing Pages
H-G	Deposition of Chris Ganser, dated October 11, 2016 - 301	Missing Pages
H-H	Deposition of Robert Carr, dated Dec. 19, 2014	Missing Pages
H-J	Deposition of Donna B. Tillman, dated June 12, 2014 – 193-194	Missing Pages
H-K	Deposition of Kay Fuller, dated January 11, 2016	Missing Pages
M-C	Deposition of Roderick Tompkins, M.D., dated April 11, 2017	Missing Pages
M-D	Deposition of Debra Mulkey, dated February 8, 2017	Missing Pages
M-F	Deposition of Darren Hurst, M.D., dated August 19, 2016	Removed Exhibit
M-G	Deposition of Derek D. Muehrcke, M.D., dated July 24, 2017	Removed Exhibit